

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 DHA-05 OIC-02 OMB-01 TRSE-00

ACDA-07 CU-04 /091 W

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R 051545Z OCT 77

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC 3823

AMEMBASSY ANKARA

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BELGRADE ALSO FOR USDEL CSCE
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ALSO FOR USOECD

E.O. 11652: GDS

TAGS: CSCE, CZ, SHUM

SUBJECT: HUMAN RIGHTS IN CZECHOSLOVAKIA: CHARTER 77 AND ITS AFTERMATH

1. SUMMARY: THE OPENING OF BELGRADE II PROMPTS US TO TAKE
ANOTHER LOOK AT THE CHARTER 77 PHENOMENON AND ITS MIDDLETERM IMPACT

ON THE HUMAN RIGHTS SITUATION IN CZECHOSLOVAKIA. WE CONCLUDE
THAT NOTWITHSTANDING THE SUBSTANTIAL REPERCUSSIONS OF CHARTER 77
EXTERNALLY--ESPECIALLY WITH RESPECT TO THE EUROCOMMUNISTS'
POLEMIC WITH MOSCOW, THE EAST-WEST DEBATE ON HUMAN RIGHTS,
AND SCATTERED SUPPORT FOR THE CHARTER ACROSS EASTERN EUROPE, THE
IMPACT WITHIN CZECHOSLOVAKIA ITSELF TO DATE HAS RESULTED IN A NET
LOSS OF FREEDOM. END SUMMARY.

2. FALL 1976 FOUND CZECHOSLOVAKIA IN PROBABLY THE BEST POSITION IT HAD

BEEN IN SINCE THE END OF WORLD WAR II, AND CERTAINLY SINCE FEBRUARY
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1948, IN TERMS OF MATERIAL COMFORT--AND RELATIVE INTERNAL FREEDOM,
IF THE ABERRANT MONTHS OF 1968 ARE EXCLUDED. THE VISIBLE ACTIVITY
OF THE SECURITY APPARATUS SEEMED PRIMARILY FOCUSED ON WESTERN
DIPLOMATS, WHILE DISSIDENT INTELLECTUALS (SOME OF WHOM WERE SOON
TO BECOME THE VOICE OF CHARTER 77) COULD PRODUCE THEIR OPEN
LETTERS AND SAMIZDAT WORKS AND EXPECT TO RECEIVE LITTLE MORE PUNISHMENT

THAN SLANDEROUS COMMENT FROM THE PROPAGANDA MEDIA. INDEED,
DECEMBER 1976 THE REGIME WAS RELAXED ENOUGH AND INTERESTED ENOUGH
IN PUTTING ON A GOOD FACE FOR BELGRADE TO RELEASE THE LAST
EMINENT POLITICAL PRISONERS. THE MASS OF THE PEOPLE APPEARED
CONTENT WITH, OR AT LEAST INURED TO, PAYING FOR DOMESTIC
TRANQUILITY, STABLE PRICES AND RELATIVE PROSPERITY BY ACQUIESING TO
CLOSE CONTROL ON ASSEMBLY, INFORMATION, AND MOVEMENT. THE MOST
VISIBLE HUMAN RIGHTS VIOLATION AT THE TIME WAS CONTINUED DISCRIMINATION

ON
AGAINST THE LOSERS OF 1968 AND OTHER ELEMENTS IDENTIFIED BY THE
REGIME AS HOSTILE, WHO COULD OBTAIN NOTHING BUT MENIAL JOBS
AND WHOSE CHILDREN WERE DENIED HIGHER EDUCATION.

3. THE PICTURE CHANGED SHARPLY, HOWEVER, IN SUBSEQUENT MONTHS
AFTER THE ISSUANCE OF CHARTER 77 IN JANUARY. THE REGIME UNLEASHED

THE FULL WEIGHT OF ITS PROPAGANDA MEDIA AND CONTROLLED MASS ORGANIZATIONS, AND LET THE GOON SQUADS THAT HAD LONG BEEN RELATIVELY DORMANT IN RECESSES OF THE MINISTRY OF THE INTERIOR DUST OFF THEIR TECHNIQUES OF GROSS AND PETTY HARASSMENT. THE REGIME EXPERIENCED ITS FIRST TASTE OF REAL RESISTANCE IN YEARS AS THE CHARTER ADHERENTS FOUGHT BACK THROUGHOUT THE SPRING WITH ELOQUENT AND POINTED WORDS. BUT IT ALSO ACHIEVED AN INEVITABLE UPPER HAND BY MID-SUMMER, FORCING MOST CHARTER ADHERENTS TO BE SILENT OR TO CHOOSE EXILE.

4. THE REGIME MUST BEAR A MEASURE OF RESPONSIBILITY FOR EVOKING THE CHARTER PHENOMENON. BY ITS EFFORTS TO PUT ON A BRIGHT POST-HELSINKI, PRE-BELGRADE FACE, PARTICULARLY BY RATIFYING (MARCH 1976) AND PUBLISHING (OCTOBER 1976) THE TEXTS OF THE TWO UN INTERNATIONAL CONFIDENTIAL

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COVENANTS ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND ON CIVIL AND POLITICAL RIGHTS AND BY MAKING THE TEXT OF THE FINAL ACT READILY AVAILABLE, THE REGIME CREATED CONDITIONS UNDER WHICH VARIOUS ELEMENTS THAT HAD PREVIOUSLY HAD NO COMMON GROUND OTHER THAN OPPOSITION TO DISPARATE ASPECTS OF THE SYSTEM COULD UNITE IN EXPRESSING THEIR RIGHT TO BE HEARD IN A WAY THAT WAS, IN PRINCIPLE, SANCTIONED BY CZECHOSLOVAK LAW. CHARTER 77 AS A DOCUMENT WAS ESSENTIALLY A HIGHLY LEGALISTIC APPEAL TO THE GOC TO LIVE UP TO LAWS IT HAD MADE AND INTERNATIONAL AGREEMENTS IT HAD RATIFIED. ON THAT BASIS, NONCOMMUNISTS AND COMMUNISTS OF ALL STRIPES, FROM FORMER STALINISTS TO PROTO-SOCIAL DEMOCRATS, PHILOSOPHERS AND FORMER BUREAUCRATS COULD UNITE. INTERIOR MINISTER OBZINA IS ALLEGED TO HAVE SAID THAT THE CHARACTER OF THE DOCUMENT WAS SUCH THAT NINETY PERCENT OF THE CITIZENRY WOULD HAVE SEEN NO DANGER IN IT AND, IF THE SUPPRESSION CAMPAIGN HAD NOT BEEN CARRIED OUT, "ONE TO TWO MILLION PEOPLE" WOULD HAVE SIGNED IT.

5. IT IS IMPORTANT TO NOTE, HOWEVER, THAT EVEN AT ITS HEIGHT THE CHARTER MOVEMENT HAS REMAINED DECISIVELY ROOTED IN THE CZECH LANDS--PRAGUE, IN PARTICULAR. MANY SLOVAKS, BENEFITTING FROM PORK BARREL POLITICS OF THE CURRENT SLOVAK LEADERSHIP OF THE COUNTRY, REPORTEDLY VIEWED THE CHARTER AS A CZECH PLOT TO WEAKEN AND POSSIBLY SUPPLANT THE SLOVAKS AT THE PINNACLE OF PARTY-STATE POWER.

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6. WHEN THE REGIME PREDICTABLY PUT SECURITY AND STABILITY AHEAD OF STRICT ADHERENCE TO LEGALITY AND LAUNCHED AN ACTIVE CAMPAIGN TO CRUSH THE CHARTER MOVEMENT, THE CHARTER FORCES BEGAN SLOWLY TO MAKE MISTAKES. THE PREIMARY MISTAKE WAS TO MOVE AWAY IN THEIR DOCUMENTS FROM POSITIVE APPEALS FOR RESPECT FOR LEGAL PRINCIPLES TO A NEGATIVE COURSE, LISTING WRONGS COMMITTED BY THE STATE AND DIRECTLY CRITICIZING THE SYSTEM. THIS PUT THE CHARTER ACTIVISTS INTO A TWILIGHT ZONE OF POSSIBLE PRIMA FACIE VIOLATION OF LAWS AGAINST SLANDERING THE STATE AND UNDOUBTEDLY FRIGHTENED AWAY MANY SILENT POTENTIAL SUPPORTERS. IT ALSO APPARENTLY WAS AN IMPORTANT FACTOR, ALONG WITH THE REGIME PRESSURES, IN WEAKENING THE TENUOUS UNITY OF THE CHARTER ADHERENTS.

7. IN THE TENTH MONTH SINCE THE ISSUANCE OF CHARTER 77, WHERE DO HUMAN RIGHTS IN CZECHOSLOVAKIA STAND? SEVERAL OF THE MOST OUTSPOKEN ACTIVISTS ARE UNDER QUASI-HOUSE ARREST, SEVERAL ARE AWAITING

TRIAL, AND SEVERAL MORE HAVE CHOSEN FOREIGN EXILE AT THE COST OF THEIR CZECHOSLOVAK CITIZENSHIP. (IT SHOULD BE NOTED THAT UNLIKE CONFIDENTIAL

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DISSIDENTS IN SOME OTHER COUNTRIES, MOST CZECH DISSIDENTS DO NOT WANT TO LEAVE THE COUNTRY; TO FORBID A CZECH INTELLECTUAL TO RESIDE IN PRAGUE IS EMOTIONALLY EQUIVALENT TO FORBIDDING A FRENCH INTELLECTUAL FROM REMAINING IN PARIS). VIRTUALLY ALL LESS PROMINENT SIGNERS OF THE CHARTER HAVE SUFFERED LOSS OF JOBS, RETALIATION AGAINST THEIR CHILDREN, DENIAL OF TRAVEL POSSIBILITIES, AND OTHER FORMS OF HARASSMENT. THE FIRST GROUP OF SIGNERS HAS SUFFERED MOST SO FAR, AND IT IS NOT CLEAR WHETHER, WITH THE MOVEMENT RECENTLY QUIESCENT, THE AUTHORITIES ARE CONTINUING TO WORK THEIR WAY DOWN THE LIST TO LEAVE NO ONE UNPUNISHED. THE PREVAILING ATMOSPHERE IS EVEN MORE THAN USUALLY DISCOURAGING TO CREATIVITY AND DIVERSITY. THE REGIME HAS, FOR EXAMPLE, UNDERTAKEN A FACCID CAMPAIGN AGAINST A CURRENT VOGUE OF WEARING T-SHIRTS STENCILED WITH WESTERN FLAGS AND AMERICAN GI-STYLE CLOTHES AND IS WARNING THAT WESTERN POP MUSIC MAY CARRY AN ANTICOMMUNIST MESSAGE. MEANWHILE, SAMIZDAT SEEMS TO HAVE DROPPED OFF SHARPLY, AND WE ARE NOT SURE WHETHER THE FORMERLY INTENSE ACTIVITY OF PRIVATE DISCUSSION CIRCLES WILL RESUME FOLLOWING THE SUMMER VACATION PERIOD WITH ANYWHERE NEAR ITS FORMER STRENGTH AND RELATIVE LACK OF POLITICAL INHIBITION.

8. HAS THERE BEEN ANY POSITIVE EFFECT FROM THE CHARTER PHENOMENON? FORMER FOREIGN MINISTER HAJEK CLAIMS IT HAS AT LEAST CREATED A NASCENT DIALOGUE ON QUESTIONS OF FUNDAMENTAL FREEDOMS, BUT IN THIS ENCOUNTER THE REGIME HAS HELD ALL THE CARDS AND SHOWN NO

DESIRE TO BE MAGNANIMOUS. SOME OF OUR SOURCES CLAIM THAT FOREIGN TRAVEL HAS BECOME EASIER, BUT WE ARE SKEPTICAL THAT THIS IS TRULY A RESPONSE TO THE CHARTER. BY ACQUIESCING IN THE ANTI-CHARTER CAMPAIGN AMONG WORKERS IN CULTURAL FIELDS, SOME PEOPLE TARRED WITH 1968 HAVE APPARENTLY BEEN ABLE TO WORK THEMSELVES BACK INTO A POSITION IN WHICH THEY CAN OVERTLY PURSUE THEIR PROFESSIONS. ONE THING TO THE DUBIOUS CREDIT OF THE REGIME OF FORMER POLITICAL PRISONER HUSAK IS THAT DURING THE ANTI-CHARTER CAMPAIGN IT DID NOT RESORT TO PHYSICAL BRUTALITY OR TORTURE. BEYOND THAT THERE APPEAR TO HAVE BEEN NO POSITIVE DOMESTIC EFFECTS.

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9. IN OUR VIEW, ALLEGEDLY POSITIVE RESULTS OF CHARTER 77 HAVE BEEN CONSIDERABLY OVERSHADOWED BY THE CURRENT NEGATIVE PICTURE OF TIGHTENED INTERNAL CONTROLS. IN CZECHOSLOVAKIA, HUMAN RIGHTS HAVE LOST GROUND IN 1977. IN LOOKING TO THE FUTURE, WE CANNOT PRESENTLY GAUGE WHAT LONG-TERM EFFECT THE CHARTER APPEAL FOR RECOGNITION OF BASIC HUMAN RIGHTS MAY HAVE ON PROSPECTS FOR GREATER FREEDOM IN CZECHOSLOVAKIA--NOT TO MENTION IN EASTERN EUROPE AS A WHOLE. RECENT CZECHOSLOVAK HISTORY SUGGESTS THAT INDIVIDUAL CZECH PROPONENTS OF HUMAN LIBERTIES WILL SOON BE SPEAKING OUT AGAIN THROUGH OPEN LETTERS AND OTHER MEANS, IF ONLY BECAUSE ONE OF THE NATIONAL CHARACTERISTICS THAT IS STRONGLY REPRESENTED ESPECIALLY IN CZECH INTELLECTUALS IS A HUSSITE TENACITY. THE QUIET ASPIRATION FOR GAINING INCREASED RIGHTS WILL NOT ENTIRELY DIE AWAY HERE. AS BEST WE CAN JUDGE, CZECHOSLOVAKS WHO HARBOR HOPES FOR A GRADUAL STRENGTHENING OF FREEDOM CONTINUE TO WELCOME MEASURED PRESSURE FROM THE UNITED STATES ON ISSUES OF PRINCIPLE, BUT FEEL THAT TOO MUCH ATTENTION TO INDIVIDUAL CASES WOULD SWIFTLY BECOME COUNTER PRODUCTIVE.

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Disposition Case Number: n/a
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From: PRAGUE
Handling Restrictions: n/a
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